



DECLARATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **INDUCTION OF VIRAL MUTATION BY INCORPORATION OF MISCODING RIBONUCLEOSIDE ANALOGS INTO VIRAL RNA** the specification of which _____ is attached hereto or X was filed on March 10, 2000 as Application No. 09/522,373 and was amended on _____ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/029,404	October 28, 1996
60/040,535	February 27, 1997

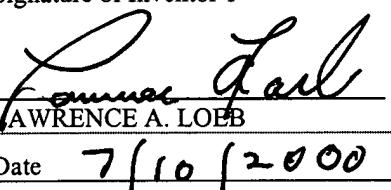
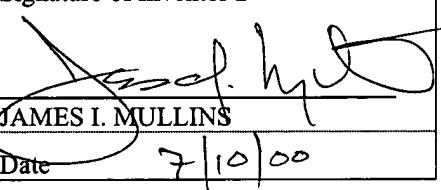
I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
08/958,065	October 27, 1997	Pending

Full Name of Inventor 1:	Last Name: LOEB	First Name: LAWRENCE	Middle Name or Initial: A.
Residence & Citizenship:	City: Bellevue	State/Foreign Country: Washington	Country of Citizenship: USA
Post Office Address:	Post Office Address: 13808 N.E. 36th Place	City: Bellevue	State/Country: Washington Postal Code: 98005

Full Name of Inventor 2:	Last Name: MULLINS	First Name: JAMES	Middle Name or Initial: I.	
Residence & Citizenship:	City: Seattle	State/Foreign Country: Washington	Country of Citizenship: USA	
Post Office Address:	Post Office Address: 3134 East Laurelhurst Drive, N.E.	City: Seattle	State/Country: Washington	Postal Code: 98105-5333

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1	Signature of Inventor 2
 LAWRENCE A. LOEB	 JAMES I. MULLINS
Date 7/10/2000	Date 7/10/00

SF 1076162 v1



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(d)) - NONPROFIT ORGANIZATION**

Applicant or Patentee:
Application or Patent No.:
Filed or Issued:
Title:

Lawrence A. Loeb and James I. Mullins

09/522,373

March 10, 2000

INDUCTION OF VIRAL MUTATION BY INCORPORATION OF MISCODING RIBONUCLEOSIDE ANALOGS
INTO VIRAL RNA

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Nonprofit Organization:

University of Washington

Address of Nonprofit Organization:

Office of Technology Transfer

1107 NE 45th Street, Suite 200

Seattle, WA 98105-4631

Type of Nonprofit Organization:

University or other institution of higher education.
 Tax exempt under Internal Revenue Service Code [26 USC 501(a) and 501(c)(3)].
 Nonprofit scientific or educational under statute of state or the United States of America
(Name of State _____).
 Would qualify as tax exempt under Internal Revenue Service Code [26 USC 501(a) and 501(c)(3)] if located in the United States of America.
 Would qualify as nonprofit scientific or educational under statute of state of the United States of America if located in the United States of America
(Name of State _____)
(Citation of statute _____).

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention, entitled **INDUCTION OF VIRAL MUTATION BY INCORPORATION OF MISCODING RIBONUCLEOSIDE ANALOGS INTO VIRAL RNA** by inventor(s) **Lawrence A. Loeb and James I. Mullins** described in:

the specification filed herewith;
 Application No. 09/522,373, filed March 10, 2000;
 Patent No. _____, issued _____.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention affering to their status as small entities. (37 CFR 1.27)

Name:

Address:

Individual

Small Business Concern

Nonprofit Organization

Name:

Address:

Individual

Small Business Concern

Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing:

Karen Deverle

Title in Organization of Person Signing:

Technology Manager

Address of Person Signing:

Office of Technology Transfer, 1107 NE 45th Street, Suite 200

Seattle, WA 98105-4631

Signature

Date

7 - 10 - 00



CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Applicant: Lawrence A. Loeb and James I. Mullins

Application No.: 09/522,373

Filed: March 10, 2000

For: INDUCTION OF VIRAL MUTATION BY INCORPORATION OF MISCODING REBONUCLEOSIDE ANALOGS INTO VIRAL RNA

University of Washington, a university

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is assignee of the patent application identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel , Frame(s) , or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Karen L. Deyerle, Ph.D.

Manager, Health Sciences

Office of Technology Transfer

University of Washington

Date : 7-10-00

Name : _____

Title : _____

Signature: Karen L. Deyerle

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Lawrence A. Loeb, of 13808 N.E. 36th Place, Bellevue, Washington 98005, and James I. Mullins of 3134 East Laurelhurst Drive, N.E., Seattle, Washington 98105-5333, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: INDUCTION OF VIRAL MUTATION BY
INCORPORATION OF MISCODING RIBONUCLEOSIDE
ANALOGS INTO VIRAL RNA

Date(s) of execution of Declaration: July 10th, 2000

Filing Date: March 10, 2000

Application No.: 09/522,373

WHEREAS, University of Washington, of 1107 N.E. 45th Street, Suite 200, Seattle, Washington, 98105-4631, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

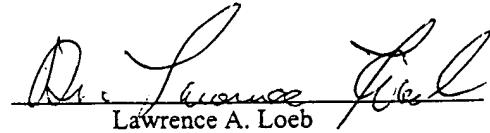
Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

NOT FOR RECORDATION

Assignment
Attorney Docket No.: 16336-000730US
Page 2

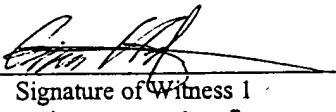
IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: 7/10/2000

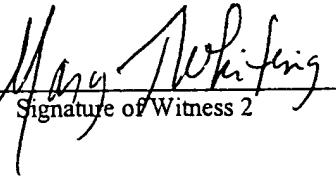

Lawrence A. Loeb

SIGNATURE WITNESSED BY:

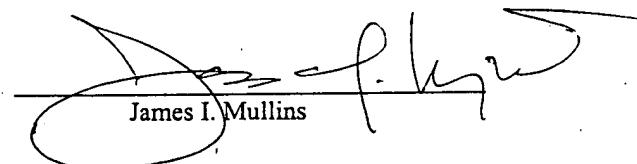
(1) Date: 7/10/2000


Signature of Witness 1

(2) Date: July 10, 2000

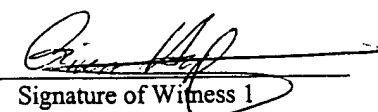

Signature of Witness 2

Dated: 7/10/00


James I. Mullins

SIGNATURE WITNESSED BY:

(1) Date: 7/10/2000


Signature of Witness 1

(2) Date: 7/10/00


Signature of Witness 2



Attorney Docket No. 016336-000730US

POWER OF ATTORNEY BY ASSIGNEE

University of Washington is the Assignee of the invention entitled: INDUCTION OF VIRAL MUTATION BY INCORPORATION OF MISCODING RIBONUCLEOSIDE ANALOGS INTO VIRAL RNA, the specification of which _____ is attached hereto or x was filed on March 10, 2000 as Application Serial No. 09/522,373.

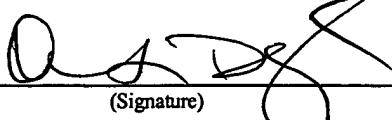
Assignee hereby appoints the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Timothy L. Smith, Reg. No. 35,367
Ellen Lauver Weber, Reg. No. 32,762
Annette S. Parent, Reg. No. 42,058
Kathleen L. Choi, Reg. No. 43,433
Jeffry S. Mann, Reg. No. 42,837

Send Correspondence to:	Direct Telephone Calls to: (Name, reg. no., tele. no.)
Annette S. Parent TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8 th Floor San Francisco, CA 94111-3834	Annette S. Parent Reg. No.: 42,058 (415) 576-0200

UNIVERSITY OF WASHINGTON

Date: 7 - 10 - 00

By: 
(Signature)

Name: Karen L. Deyerle, Ph.D.
Title: Manager, Health Sciences
Office of Technology Transfer
University of Washington

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